

REMARKS

Claims 1, 4, 5, 7 and 10-15 are pending in the present application. Claims 1, 5, 7, 10 and 11 are rejected. Claims 4 and 12-15 are withdrawn from consideration, and are herein canceled. Claims 1 and 10 are herein amended. No new matter has been entered.

Objections to the Specification

The Examiner asserts that the following phrase in the paragraph starting on page 13, line 8 is unclear with respect to the type of polymers:

“Examples of the (meth)acrylic acid polymer (b2) include (meth)acrylic acid, (meth)acrylate ethyl ester or butyl ester, a copolymer with (meth)acrylic amide, and alkali metal salts or ammonium salts of (meth)acrylic acid”

Applicants herein amend the specification to clarify the invention.

By the term “the (meth)acrylic acid polymer (b2)” is meant herein polymers predominantly containing acrylic acid and/or methacrylic acid. Examples of the (meth)acrylic acid polymer (b2) include polymer of (meth)acrylic acid, polymer of (meth)acrylic ethyl ester or butyl ester, polymer of (meth)acrylic butyl ester, a copolymer with (meth)acrylic amide and a monomer copolymerizable therewith, and polymers of alkali metal salts of (meth)acrylic acid or ammonium salt and polymers of ammonium salts of (meth)acrylic acid.

Applicants submit that one skilled in the art would readily know which monomers would be copolymerizable with (meth)acrylic amide.

Rejections under 35 U.S.C. §112, first paragraph

Claims 1, 5, 7, 10 and 11 are rejected under 35 U.S.C. §112 first paragraph, because the invention as claimed reads on EVOH and PAA having polymerization degree and saponification degree outside supported ranges, which would result in barrier layer having either unsatisfactory gas barrier property or to cause obstacle in coating due to high viscosity. Therefore claimed barrier layer is broader in scope than disclosed in the instant specification.

Applicants herein amend claim 1 to limit the EVOH (b1) and (meth)acrylic polymer (b2) to the supported levels.

Claims 1, 5, 7, 10 and 11 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner asserts that claim 1, line 11, the phrase “3-5% of the (meth)acrylic acid polymer (b2) has been neutralized partially” renders claims indefinite, and that it is not clear from the claim language whether 3-15% neutralization refers to weight percent of acid groups or mol percent of acid groups or 3-15% refers to weight percent or volume percent of the (meth) acrylic acid polymer (b2).

Applicants herein remove the expression “neutralized partially” to recite the exact degree of neutralization. Applicants further submit that “3-15% neutralization” means the “degree of neutralization” of the polymer, which does not require reciting weight or mol percent. Applicants amend the claim to so clarify.

The Examiner assert that line 13, the phrase “(meth)acrylic ethyl and butyl ester” renders claims indefinite because it is not clear from the claim language whether applicants are trying to

claim copolymer of (meth)acrylic acid and (meth)acrylic ethyl ester or (meth)acrylic butyl ester or something else.

The Examiner assert that lines 13-14, the phrase “copolymer with (meth)acrylic amide” cannot be understood because no other monomer is specified.

As noted above, Applicants amend the specification to recite, “a copolymer with (meth)acrylic amide and a monomer copolymerizable therewith”. Applicants submit that one skilled in the art would readily know how to copolymerize (meth)acrylic amide with any monomer copolymerizable therewith, and that such a copolymer would be suitable with the invention.

The Examiner asserts that in claim 1, line 15, the Markush group member “alkali metal and ammonium salts” renders the claim indefinite.

Applicants herein amend claim 1 to clarify that the claim refers to polymers of alkali metal metals and ammonium salts of (meth)acrylic acid.

The Examiner asserts that in claim 10, lines 2-3, the phrase “the biaxially stretched polypropylene film” lacks clear antecedent basis, because no biaxially stretched polypropylene film has been previously recited in claim 1 from which this claims depends.

Applicants agree that the biaxially stretched polypropylene film is not introduced until claim 5. Therefore, Applicants herein amend claim 10 to be dependent from claim 5.

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Amendment under 37 C.F.R. §1.111
Amendment filed: January 24, 2007

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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